

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

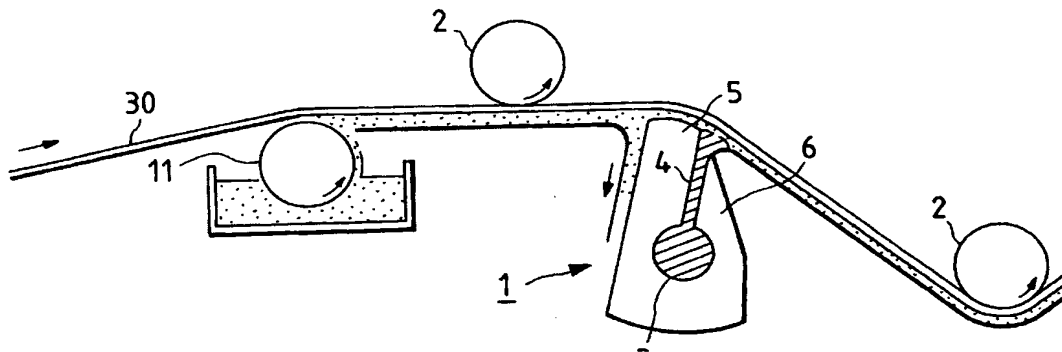
The Official Action rejects claims 1 and 5-7 under 35 U.S.C. 103(a) as being unpatentable over TOMARU et al. in view of JP '432 as noted. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons.

The primary TOMARU et al. reference describes a die with a slot used for applying a coating. The TOMARU et al. device incorporates a guide plate 7, interpreted by the Official Action as the recited regulation member.

Unlike the present invention as recited, the TOMARU et al. device is an "underbite" type die, in that the downstream lip lies farther from a coating surface than does the upstream lip. The present invention as recited is of the opposite "overbite" type. The secondary JP '432 reference is offered for teaching such overbite feature.

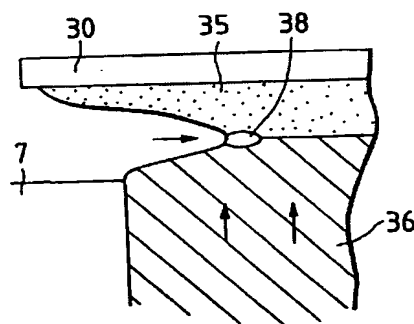
The TOMARU et al. reference provides the guide plate element specifically in connection with the intended use of the die, namely as a second-layer coating die. As most clearly illustrated by the reproduction of Fig. 3 of TOMARU et al. below, a first layer is applied by the drum 11. A portion of the first layer, still in liquid form, is shunted off by the slot die device 1. The slot die device 1 then applies a second layer of coating solution over the first layer.

FIG. 3



The guide plate feature of the device of TOMARU et al. is offered for the express purpose of avoiding the problem illustrated in Fig. 12 of TOMARU et al., also reproduced here. Applying the second coat 36 over the first coat 35 on web 30 is known to cause the film cut 38. The guide plate of TOMARU et al. prevents this. The guide plate is therefore offered as performing a valuable function in connection with a second-layer coating device.

FIG. 12
PRIOR ART



Moreover, the underbite feature of TOMARU et al. is also tied directly to the second-layer coating die. This is because the upstream edge of the die must be used to divert the top portion of the first layer. An overbite type of die, such as that recited in claim 1, is used to create a bead upstream of the die slot. A die cannot at once both trim off the top portion of an existing layer (necessitating an underbite arrangement) and create a bead of coating solution upstream of the die (necessitating an overbite arrangement).

The present rejection therefore takes the position that one of skill in the art would modify the TOMARU et al. die to keep the feature of the regulation plate (which is taught as improving performance related to a second-layer coating situation), dispense with the underbite feature (which is required for a second-layer coating die), and replace the underbite feature with an overbite feature (which cannot be used in a die that is required to strip off part of an existing layer).

Accordingly, the proposed modification of the TOMARU et al. device would render it unusable for its intended purpose. The combination therefore necessarily fails to render the invention of the rejected claims *prima facie* obvious.

Reconsideration and withdrawal of this rejection are therefore respectfully requested.

The Official Action rejects claim 2 under 35 U.S.C. §103(a) as being unpatentable over the references cited above, and further in view of SHIBATA et al. The Official Action rejects claims 3 and 4 over the references cited above, and further in view of GARTMANN.

The Official Action identifies those features for which the SHIBATA et al. and GARTMANN references are offered. However, irrespective of the ability of such secondary references to teach or suggest that for which they are offered, they nevertheless fail to remedy the shortcomings inherent to the combination of TOMARU et al. and JP '432. Accordingly, reconsideration and withdrawal of both rejections are respectfully requested.

In addition to the amendment described above, applicants have added new claims 8-13. Each of these claims depends ultimately from claim 1, and each recites a further feature that is believed to be unknown in the prior art.

In light of the amendment described above and the arguments offered in support thereof, applicants believe that the present application is in condition for allowance, and an early indication of the same is respectfully requested.


If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may contact

the undersigned attorney so that this application may continue to be expeditiously advanced.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

Robert J. Patch, Reg. No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573

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